

Respectfully submitted,

Date: August 19, 2004

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8844

CERTIFICATE OF MAILING

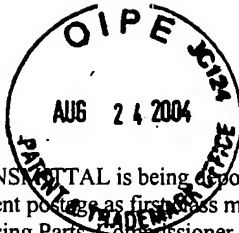
I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 24 day of August, 2004.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: _____

Wendy A. Frick



Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

St. Martin, et al.

Serial No.: 10/778,018

Filed: February 12, 2004

For: **IDENTIFICATION OF SOYBEANS
HAVING RESISTANCE TO
PHYTOPHTHORA SOJAE**

) Examiner: Not yet assigned

) Group Art Unit: 1638

) Attorney Docket No.: 22727/04212

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL OF RESPONSE TO MISSING PARTS

Sir:

Transmitted herewith are the following:

1. Response to Missing Parts;
2. Executed Declaration and Power of Attorney of Steven St. Martin;
3. Executed Declaration and Power of Attorney of Anne Dorrance and Stuart G. Gordon;
4. Executed Declaration and Power of Attorney of Kara Burnham;
5. Executed Declaration and Power of Attorney of Ron Fioritto;
6. Executed Declaration and Power of Attorney of David Francis;
7. Petition for Extension of Time Under 37 CFR 1.136(a);
8. A copy of the Notice to File Missing Parts received from the Patent Office;
9. Preliminary Amendment;
10. A check in the amount of \$911.00 as payment of the basic filing fee, appropriate surcharge, additional claims fees and a two month extension of time; and
11. Return receipt postcard.

It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: August 19, 2004

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/778,018 | 02/12/2004 | Steven St. Martin | 22727/042112 |

24024

CALFEE HALTER & GRISWOLD, LLP
800 SUPERIOR AVENUE
SUITE 1400

CLEVELAND, OH 44114

08/25/2004 EFLORES 00000040 10778018

| | |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2051 | 65.00 OP |
| 03 FC:2201 | 215.00 OP |
| 04 FC:2202 | 36.00 OP |



CONFIRMATION NO. 3349

FORMALITIES LETTER



OC000000012581752

Date Mailed: 05/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$251 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$701 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$251

RECEIVED

MAY 12 2004

IP. DEPT.

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01 FC:2001

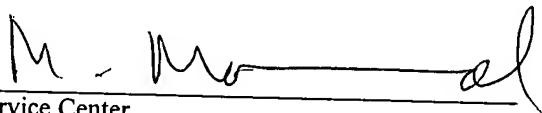
← 385.00 OP

65.00 OP
215.00 OP02 FC:2051
03 FC:2201

- \$215 for 5 independent claims over 3.
- \$36 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "M. M. al", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE